

PANEL: LOUISVILLE METRO

LOCATION: BULLITT COUNTY JUDICIAL CENTER, DISTRICT COURTROOM, 505 BUFFALO RUN ROAD, SHEPHERDSVILLE, KENTUCKY

DATE: May 18, 2004

09:30 AM PJ: BUCKINGHAM MINTON MILLER  
 2002CA002280 DAVID OSBORNE ET AL. VS COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH SERVICES ET AL.  
 JAIL - RESPONSIBILITY FOR MEDICAL EXPENSES

CIVIL FRANKLIN COUNTY ROGER L. CRITTENDEN

|                     |   |                 |
|---------------------|---|-----------------|
| Appellant Atty:     |   | Appellant Name: |
| .....               | .....   | .....           |
| HECTUS, C. THOMAS   | DAVID OSBORNE   |                 |
|                     | DAVIESS COUNTY, KENTUCKY                              |                 |
| Appellee Atty:      |   | Appellee Name:  |
| .....               | .....   | .....           |
| JOHNSTONE, C. DAVID | COMMONWEALTH OF KENTUCKY, CABINET FOR HEALTH SERVICES |                 |
| POWELL, KAREN A     | COMMONWEALTH OF KENTUCKY, DEPARTMENT OF FINANCE       |                 |

10:15 AM PJ: BUCKINGHAM MINTON TAYLOR  
 2003CA001084 BETTY CLINGAMAN VS LOUISVILLE GAS & ELECTRIC COMPANY  
 NEGLIGENCE/DUTY

CIVIL JEFFERSON COUNTY LISABETH HUGHES ABRAM

|                      |                                   |                 |
|----------------------|-----------------------------------|-----------------|
| Appellant Atty:      |                                   | Appellant Name: |
| .....                | .....                             | .....           |
| DANIEL, KIRSTEN RENE | BETTY CLINGAMAN                   |                 |
| KEITH, KAREN L.      | BETTY CLINGAMAN                   |                 |
| Appellee Atty:       |                                   | Appellee Name:  |
| .....                | .....                             | .....           |
| DAVIDSON, SCOTT A.   | LOUISVILLE GAS & ELECTRIC COMPANY |                 |
| KAREM, DANNY T.      | LOUISVILLE GAS & ELECTRIC COMPANY |                 |
| STOPHER, EDWARD H.   | LOUISVILLE GAS & ELECTRIC COMPANY |                 |

PANEL: LOUISVILLE METRO

LOCATION: BULLITT COUNTY JUDICIAL CENTER, DISTRICT COURTROOM, 505 BUFFALO RUN ROAD, SHEPHERDSVILLE, KENTUCKY

DATE: May 18, 2004

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11:00 AM PJ: MINTON BUCKINGHAM TAYLOR  
2003CA000410 COMMONWEALTH OF KENTUCKY VS JAMES GREEN ET AL.

COMMONWEALTH APPEALS FROM DENIAL OF WRIT OF PROHIBITION/MANDAMUS WHEREIN CIRCUIT COURT RULED THAT RCR 9.26'S REQUIREMENT OF COMMONWEALTH'S ACQUIESCENCE TO NON-JURY TRIAL DOES NOT APPLY WHERE DEFENDANTS WAIVE A JURY TRIAL IN PROSECUTIONS IN DISTRICT COURT FOR MISDEMEANOR DUI.

CIVIL JEFFERSON COUNTY DENISE CLAYTON

Appellant Atty:

Appellant Name:

.....  
MELTON, CHRISTOPHER A  
RICHWALSKY, PAUL W  
STUMBO, GREGORY D.

.....  
COMMONWEALTH OF KENTUCKY  
COMMONWEALTH OF KENTUCKY  
COMMONWEALTH OF KENTUCKY

Appellee Atty:

Appellee Name:

.....  
GREEN, JAMES MICHAEL  
HARRALSON III, JOHN H.  
ROGERS, WALLACE N.

.....  
JAMES GREEN  
DONALD WAYNE DAVIS  
DAMON RICHARD CLAYTON

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01:30 PM PJ: MINTON BUCKINGHAM TAYLOR  
2003CA000897 JEANNE JUREK ET AL. VS EUGENE HUBBS ET AL.

2003CA000936 WHETHER DIRECTED VERDICT DISMISSING NEGLIGENT ENTRUSTMENT AND NEGLIGENT HIRING CLAIMS WAS PROPER; WHETHER KRE 401 AND 607 WERE PROPERLY APPLIED; WHETHER DIRECTED VERDICT SHOULD HAVE BEEN GRANTED FOR VIOLATION OF FEDERAL MOTOR CARRIER SAFETY VIOLATIONS.

CIVIL HART COUNTY LARRY D. RAIKES

Appellant Atty:

Appellant Name:

.....  
GORHAM, CHARLES WM  
JONES, EDWARD LEE

.....  
JEANNE JUREK  
COMMONWEALTH OF KENTUCKY/DEPARTMENT OF PERSONNEL

Appellee Atty:

Appellee Name:

.....  
NEAL, JAMIE KRISTIN  
  
TATE, JOHN L.

.....  
EMERSON ELECTRIC COMPANY  
EUGENE HUBBS  
EMERSON ELECTRIC COMPANY  
EUGENE HUBBS

PANEL: LOUISVILLE METRO

LOCATION: BULLITT COUNTY JUDICIAL CENTER, DISTRICT COURTROOM, 505 BUFFALO RUN ROAD, SHEPHERDSVILLE, KENTUCKY

DATE: May 18, 2004

02:15 PM

PJ: MINTON

BUCKINGHAM

TAYLOR

2003CA001063

TRANSPORTATION CABINET, COMMONWEALTH OF KENTUCKY ET AL. VS SCHWAN'S TECHNOLOGY GROUP, INC.

TRANSPORTATION CABINET APPEALS SUMMARY JUDGMENT DETERMINING THAT DRIVER INFORMATION MUST BE FURNISHED FROM CABINET'S DATA BASE PER OPEN RECORDS LAW TO COMPANY THAT RE-SELLS INFO TO INSURANCE COMPANIES.

CIVIL

FRANKLIN COUNTY

WILLIAM L GRAHAM

Appellant Atty:

Appellant Name:

.....

EARL, TREVOR L

.....

ED ROBERTS

GARY BRUNKER

TRANSPORTATION CABINET, COMMONWEALTH OF KENTUCKY

HARVILLE, MARY R

ED ROBERTS

GARY BRUNKER

TRANSPORTATION CABINET, COMMONWEALTH OF KENTUCKY

Appellee Atty:

Appellee Name:

.....

BROOKER, CHRISTOPHER W

HAYNES, KENNETH GREGORY

PATTERSON, DEBORAH H

.....

SCHWAN'S TECHNOLOGY GROUP, INC.

SCHWAN'S TECHNOLOGY GROUP, INC.

SCHWAN'S TECHNOLOGY GROUP, INC.

PANEL: LOUISVILLE METRO

LOCATION: BULLITT COUNTY JUDICIAL CENTER, DISTRICT COURTROOM, 505 BUFFALO RUN ROAD, SHEPHERDSVILLE, KENTUCKY

DATE: May 19, 2004

10:45 AM

PJ: TAYLOR

BUCKINGHAM

MINTON

2003CA000558

JANICE DEFREES VS ELMER DUNBAR ET AL.

WHETHER CIRCUIT COURT ERRONEOUSLY RESTRICTED CROSS EXAMINATION OF WITNESS; WHETHER CIRCUIT COURT MISAPPLIED KRE 803 (18).

CIVIL

JEFFERSON COUNTY

F KENNETH CONLIFFE

Appellant Atty:

Appellant Name:

.....  
FREDERICK, CARL D.

.....  
JANICE DEFREES

FREDERICK, STEVEN MICHAEL

JANICE DEFREES

Appellee Atty:

Appellee Name:

.....  
BUTTON, R ALLEN

.....  
ELMER DUNBAR

PAIN CONTROL NETWORK, PSC

PANEL: EAST/SOUTHEAST

LOCATION: PIKE CIRCUIT COURTROOM, HALL OF JUSTICE, 172 DIVISION STREET, PIKEVILLE,  
KENTUCKY

DATE: May 11, 2004

02:15 PM

PJ: BARBER

EMBERTON

GUIDUGLI

2002CA002208

CAROL CLIFTON VS KENTUCKY NATIONAL INSURANCE COMPANY

INSURANCE: INJURED PARTIES' APPEAL OF SUMMARY JUDGMENT IN FAVOR OF INSURER BASED UPON  
APPELLANT'S FAILURE TO OBTAIN A SUBROGATION WAIVER.

CIVIL

CARTER COUNTY

SAMUEL C LONG

Appellant Atty:

Appellant Name:

.....  
BIKA, LETISHA R

.....  
CAROL JOVENA CLIFTON

Appellee Atty:

Appellee Name:

.....  
HUGHES, CATHERINE C

.....  
KENTUCKY NATIONAL INSURANCE COMPANY

PANEL: NORTH/CENTRAL

LOCATION: PIKEVILLE COLLEGE, RECORD MEMORIAL BUIDLING, 147 SYCAMORE STREET,  
PIKEVILLE, KENTUCKY

DATE: May 11, 2004

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01:30 PM PJ: COMBS TACKETT VANMETER  
2002CA002368 BERLING DEVELOPMENT ENTERPRISES, INC. VS JAMES WOLTERMANN  
ET AL.  
LEGAL MALPRACTICE CASE INVOLVING A SERIES OF ALLEGED FAILURES TO PRESERVE EVIDENCE ON PART OF  
COUNSEL IN UNDERLYING INSURANCE COVERAGE CASE.

CIVIL KENTON COUNTY DOUGLAS M STEPHENS

Appellant Atty: Appellant Name:  
.....  
DETERS, ERIC C. BERLING DEVELOPMENT ENTERPRISES, INC.  
Appellee Atty: Appellee Name:  
.....  
CARRAN, ROBERT W. ADAMS, BROOKING, STEPNER, WOLTERMANN, & DUSING, P.L.L.C.  
ADAMS, STEPNER, WOLTERMANN & DUSING, P.L.L.C.  
JAMES G. WOLTERMANN

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02:15 PM PJ: COMBS TACKETT VANMETER  
2002CA002494 MARQUIS HEARD VS COMMONWEALTH OF KENTUCKY  
SERIES OF ERRORS ALLEGED IN CRIMINAL TRIAL INCLUDING IMPROPER ADMISSION OF HEARSAY EVIDENCE  
AND RIGHT TO CONFRONT WITNESSES.

CRIMINAL FAYETTE COUNTY JOHN R ADAMS

Appellant Atty: Appellant Name:  
.....  
BOYD, MATTHEW W. MARQUIS DERON HEARD  
Appellee Atty: Appellee Name:  
.....  
JUDY, BRIAN T. COMMONWEALTH OF KENTUCKY  
STUMBO, GREGORY D. COMMONWEALTH OF KENTUCKY

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03:00 PM PJ: VANMETER COMBS TACKETT  
2003CA001007 MARCUS HASH VS UNIVERSITY OF KENTUCKY  
PROPRIETY OF SUMMARY JUDGMENT; CIVIL RIGHTS, DISABILITY; ADMISSION TO LAW SCHOOL

CIVIL FAYETTE COUNTY THOMAS L CLARK

Appellant Atty: Appellant Name:  
.....  
DOVE, EDWARD E. MARCUS TODD HASH  
Appellee Atty: Appellee Name:  
.....  
BARKER, STEPHEN L UNIVERSITY OF KENTUCKY  
SALSBUREY, JOSHUA MICHAEL UNIVERSITY OF KENTUCKY

PANEL: NORTH/CENTRAL

LOCATION: PIKEVILLE COLLEGE, RECORD MEMORIAL BUIDLING, 147 SYCAMORE STREET,  
PIKEVILLE, KENTUCKY

DATE: May 11, 2004

03:45 PM

PJ: VANMETER

COMBS

BARBER

2003CA001085

PUMA ENERGY CORPORATION ET AL. VS COMMONWEALTH OF  
KENTUCKY

BREACH OF ADMINISTRATIVE AGREED ORDER; SUMMARY JUDGMENT

CIVIL

FRANKLIN COUNTY

ROGER L. CRITTENDEN

Appellant Atty:

Appellant Name:

.....  
DUFF Jr, DONALD

.....  
JOHN J. SIEGEL Jr

DUFF, DONALD

PUMA ENERGY CORPORATION

Appellee Atty:

Appellee Name:

.....  
GEISLER, MARIA TERESA

.....  
COMMONWEALTH OF KENTUCKY

IRWIN, PETER R

COMMONWEALTH OF KENTUCKY

PANEL: NORTH/CENTRAL

LOCATION: PIKEVILLE COLLEGE, RECORD MEMORIAL BUIDLING, 147 SYCAMORE STREET,  
PIKEVILLE, KENTUCKY

DATE: May 12, 2004

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09:30 AM PJ: COMBS TACKETT VANMETER

2003CA000436 MARVIN MURRELL VS COMMONWEALTH OF KENTUCKY

2003CA001345 ALLEGED ERROR OF COURT IN FAILING TO GRANT A MISTRAL UPON UTTERANCE OF RACIALLY CHARGED  
COMMENTS BY OFFICER TESTIFYING AT TRIAL.

CRIMINAL CAMPBELL COUNTY LEONARD L KOPOWSKI

Appellant Atty:

Appellant Name:

.....  
CASE, MARGARET FOLEY

.....  
MARVIN MURRELL

CLARE, LISA BRIDGES

MARVIN MURRELL

Appellee Atty:

Appellee Name:

.....  
FUCHS, GREGORY C.

.....  
COMMONWEALTH OF KENTUCKY

SEELIG, GEORGE G.

COMMONWEALTH OF KENTUCKY

**\*\*NOTE:45 MINUTES SET ASIDE FOR ORAL ARGUMENT**

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10:15 AM PJ: COMBS TACKETT VANMETER

2003CA001195 LAMONT BROWN VS COMMONWEALTH OF KENTUCKY

CRIMINAL; SUFFICIENCY OF AN ANONYMOUS TIP TO SERVE AS ADEQUATE PREDICATE FOR A "TERRY" STOP.

CRIMINAL FAYETTE COUNTY JOHN R ADAMS

Appellant Atty:

Appellant Name:

.....  
CETRULO, DON

.....  
LAMONT HOUSTON BROWN

Appellee Atty:

Appellee Name:

.....  
FERGUSON, TODD D

.....  
COMMONWEALTH OF KENTUCKY

PANEL: RESCHEDULED AND MISC. CASES

LOCATION: SCOTT COUNTY JUSTICE BUILDING, CIRCUIT COURTROOM, 119 NORTH HAMILTON STREET, GEORGETOWN, KENTUCKY

DATE: May 04, 2004

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01:00 PM PJ: SCHRODER TAYLOR BARBER  
2003CA000999 TERRY SETTLE ET AL. VS KENTUCKY FARM BUREAU INSURANCE COMPANY ET AL.  
POLICYHOLDER BROUGHT SUIT AGAINST AGENT AND INSURANCE COMPANY FOR ERRORS AND OMISSIONS.

CIVIL MUHLENBERG COUNTY DAVID H JERNIGAN

Appellant Atty:

Appellant Name:

.....  
YONTS, BRENT

.....  
LISA SETTLE  
TERRY SETTLE

Appellee Atty:

Appellee Name:

.....  
HARTZ, MAX S  
MILLER, AL

.....  
KENTUCKY FARM BUREAU INSURANCE COMPANY  
RICKY HOSKINS

\*\*NOTE:CONTINUED FROM FEBRUARY

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01:45 PM PJ: BUCKINGHAM BARBER MILLER  
2003CA000972 THOMAS BRAND VS MICHAEL HOWELL ET AL.  
CONTRACT DISPUTE

CIVIL WARREN COUNTY JOHN D. MINTON JR

Appellant Atty:

Appellant Name:

.....  
HINKLE, BUCKNER  
NEAL, GERALD A  
ROBERTS, KENNETH T.  
RUSCHELL, CASSIDY E

.....  
THOMAS BRAND  
THOMAS BRAND  
THOMAS BRAND  
THOMAS BRAND

Appellee Atty:

Appellee Name:

.....  
HIXSON, STEPHEN L.  
  
MERZ, CHARLES F.

.....  
HOWELL CONSTRUCTION COMPANY  
MICHAEL HOWELL  
HOWELL CONSTRUCTION COMPANY  
MICHAEL HOWELL

\*\*NOTE:CONTINUED FROM MARCH

PANEL: RESCHEDULED AND MISC. CASES

LOCATION: SCOTT COUNTY JUSTICE BUILDING, CIRCUIT COURTROOM, 119 NORTH HAMILTON STREET, GEORGETOWN, KENTUCKY

DATE: May 04, 2004

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02:30 PM PJ: BUCKINGHAM EMBERTON VANMETER  
2003CA001322 SOUTHERN BLUEGRASS RACING, LLC VS KENTUCKY HORSE RACING  
AUTHORITY  
RACING LICENSE DENIAL

CIVIL FRANKLIN COUNTY ROGER L. CRITTENDEN

Appellant Atty: Appellant Name:  
.....  
LAMBERTUS, DAVID A SOUTHERN BLUEGRASS RACING, LLC

Appellee Atty: Appellee Name:  
.....  
MILLER, J. BRUCE KENTUCKY HORSE RACING AUTHORITY

\*\*NOTE: CONTINUED FROM APRIL

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03:15 PM PJ: VANMETER BUCKINGHAM EMBERTON  
2003CA000634 WILLIAMS & WAGNER, P.S.C. ET AL. VS JOHN FORD ET AL.  
MEDICAL MALPRACTICE; EVIDENTIARY RULINGS; PROPRIETY OF JURY VERDICT -- \$24 MM

CIVIL JEFFERSON COUNTY STEPHEN P RYAN

Appellant Atty: Appellant Name:  
.....  
BUTTON, R ALLEN EILEEN PERRY ANDERSON  
WILLIAMS & WAGNER, P.S.C.

JOHNSON, CRAIG L EILEEN PERRY ANDERSON  
WILLIAMS & WAGNER, P.S.C.

Appellee Atty: Appellee Name:  
.....  
SITLINGER, LEE E. JOHN FORD  
PAMELA JEAN SIMPSON

THEILER II, CHARLES E. JOHN FORD  
PAMELA JEAN SIMPSON

\*\*NOTE:CONTINUED FROM APRIL

PANEL: RESCHEDULED AND MISC. CASES

LOCATION: BULLITT COUNTY JUDICIAL CENTER, DISTRICT COURTROOM, 505 BUFFALO RUN ROAD, SHEPHERDSVILLE, KENTUCKY

DATE: May 19, 2004

11:30 AM

PJ: TAYLOR

MINTON

SCHRODER

2002CA002266

CITY OF WORTHINGTON HILLS, KENTUCKY VS WORTHINGTON HILLS FIRE PROTECTION DISTRICT ET AL.

WHETHER APPELLEE'S APPEAL TO THE JEFFERSON CIRCUIT COURT WAS TIMELY UNDER KRS 100.347(2); WHETHER FISCAL COURT'S APPROVAL WAS REQUIRED TO CLOSE A PUBLIC ROADWAY.

CIVIL

JEFFERSON COUNTY

BARRY WILLETT

Appellant Atty:

Appellant Name:

.....  
HUBBARD, KYLE T  
SCHWAGER, STEPHEN A

.....  
CITY OF WORTHINGTON HILLS, KENTUCKY  
CITY OF WORTHINGTON HILLS, KENTUCKY

Appellee Atty:

Appellee Name:

.....  
BILITSKI, DEBORAH A  
  
ROBERTS JR, JOHN BISSELL

.....  
JEFFERSON COUNTY, KENTUCKY  
WORTHINGTON COMMUNITY ASSOCIATION  
LOUISVILLE AND JEFFERSON COUNTY PLANNING COMMISSION  
WORTHINGTON COMMUNITY ASSOCIATION  
WORTHINGTON HILLS FIRE PROTECTION DISTRICT